

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – APRIL 6, 2010**

The meeting was called to order at 9:00 A.M. with Commissioners Kasian, Arthaud, and Thompson in attendance.

Kasian moved to approve the minutes from the March 2, 2010 regular meeting. Thompson seconded. All voted aye.

Others present during portions of the meeting were: Tim Solberg, Doug Ellison, John Hild, Bernie Kordonowy, Kurt Kordon, Pat Rummel, Jason Kastrow, Jay Brovold, Dave Jurgens, Kasey Malkowski, Roger Kessel, Roy Krivoruchka, Lynn Arthaud, Donna Adams, Tim Kelly, Jim Haag, various construction company representatives for the bid opening, Darrin Baranko, Dean Rodne, Kathy Dosch, Chris Johnson

Tim Solberg, Billings County Fire Chief met with the board to discuss possible expansions to existing fire halls in Fairfield and Fryburg. Chairman Arthaud appointed Commissioner Thompson to work with the Fire District board to hire an engineer and put the projects out on bid.

Pat Rummel presented the board with the paperwork for a seatbelt grant. Kasian moved to approve the grant application. Thompson seconded. All voted aye.

The board discussed the cell tower Verizon is proposing to construct in 22-143-99. Darrin Wixo represents Verizon Wireless. He is a licensed Realtor in MN and ND and is based in Moorhead and his associate Mike Wald is based in Dickinson, ND. The zoning board approved the Verizon application on 3/11. Roger Kessel questioned why the cell tower was allowed to be so close to the highway in case they fell over. The tower is located and designed so it would not affect the highway. Kasey Malkowski stated that there is currently no cell phone coverage from his house or from the Prairie School. Commissioner Arthaud stated that the zoning board previously approved the application. There was a request to have Verizon move the site either half a mile to the east or west if at all possible. The location and height of a wireless site is chosen on the basis of engineering analysis and Federal Communications Commission (FCC) requirements and on the need to maximize coverage in an area, including 911 emergency calls servicing the community. Thompson moved to uphold the zoning board recommendation. Kasian seconded. All voted aye.

Other zoning board items addressed: Teresa Roberts submitted an application for a mobile home on the same location as an existing one. The zoning board approved the application. Thompson moved to approve the application. Kasian seconded. All voted aye. Terry and Diane Dwelle submitted an application to construct an observatory. The zoning board approved. Thompson moved to approve the permit. Kasian seconded. All voted aye. Jerry Redmond submitted an application for a mobile home and storage shed. The zoning board approved. Kasian moved to approve the application. Thompson seconded. All voted aye. John Werzer requested a temporary use permit to have horses on residential property until pasture can be obtained. The zoning board granted a 60 day permit. Kasian moved to approve the temporary permit. Thompson seconded. All voted aye. Joe and Sue Finneman presented the zoning board with a subdivision plat. The zoning board requested that a sewer system plan be drawn up, a letter from SW Water, and a fire suppression plan be in place and for them to resubmit the plat at the next zoning meeting. The Finnemans also requested a variance to the setback requirements on the interior roads for 25 foot building setback on the lot front line and a 15 foot setback on the lot sides. The zoning board approved the variance. Thompson moved to approve the variance. Kasian seconded. All voted aye.

Medora City Mayor Doug Ellison met with the board to discuss the proposed construction of a Quiet Zone on the two railroad crossings the service the Medora area. The state will pay a portion of the cost. Doug requested that the county consider splitting the remainder of the cost (\$104,720.27), with the city. Commissioner Arthaud stated that since it was in his district he would consider allocating \$40,000 from that previously approved budget for the project. Doug will take that information back to the city council for their decision whether to proceed with the project.

Bernie Kordonowy and John Hild inquired about the county obtaining the easement from main road to the bible camp property. John stated that Theodore Roosevelt Medora Foundation is willing to give the county the easement. Bernie noted some safety issues on the road, and Commissioner Arthaud said they will take a look and see what can be done to correct them.

Kurt Kordon requested a cattle guard in 8-143-101. Commissioner Thompson obtained some information and will work with Kurt on this matter.

Tim Kelly with Kadrmas, Lee & Jackson was present to give the board can engineer’s report. Bids were opened for the South Ash Coulee Road Project. The bids will be checked to verify the math and the necessary documentation. After discussion, Thompson moved to award the bid to Onsite Improvements, Inc. contingent that there are no mathematical errors on the bid. Kasian seconded. All voted aye.

The board recessed for lunch from 11:45 to 1 P.M.

Darrin Baranko, Dean Rodne, and Kasey Malkowski asked the board to consider allowing the school an additional \$115,000 over the budgeted amount from the Bankhead Jones payment. This additional funding would be used to purchase generators for the schools. Thompson moved to approve the request. Kasian seconded. All voted aye.

The board was presented with the following tax abatements:
Parcel 10-8000-00048-000 – 2009 \$64.40; 2010 \$152.95
Parcel 33-0000-01412-000 – 2010 \$152.95
Parcel 33-0000-01466-000 – 2010 \$105.76
Thompson moved to approve the abatements. Kasian seconded. All voted aye.

Auditor Jurgens requested permission to move the remaining Bankhead Jones payment, less the amount allocated to the school, from the Land Utilization fund to the Road and Bridge fund, distributed equally between the three districts. Kasian moved to approve moving the funds. Thompson seconded. All voted aye.

Courthouse employees met with the board to voice their concerns with the recent implementation of a computer firewall. Commissioner Arthaud requested that someone be brought in to explain to everyone exactly how this works.

The board reviewed the Veteran Service Officer quarterly report.

The board approved the revenue vouchers for the month of March: Sheriff \$112.00 Civil Fees; Zoning Inspector \$400.00 zoning and subdivision applications fees; Clerk of Court \$205.00 county fees and \$3,210.00 state fees; County Recorder \$6,986.50

Revenues for materials and/or services rendered in March: Joseph L. Kessel \$71.50 dental insurance; Gerbig Partnership \$50.00 snow removal; MDU \$75.00 snow removal; Clint Schneider \$42.97 weed chemical

Revenues for the month of March: Highway Distribution \$5,038.96; Interest \$9,277.34; Land Utilization \$2,371,979.16; BLM Minerals \$226,845.98; Oil & Gas Production Tax 120,766.43; Royalties \$75,118.35; Permits \$3,520.00; Telecommunications Tax \$24,310.85

The following claims were approved for payment:

Adams, Donna	Recorder – Travel	97078	\$	103.50	
Advanced Business Methods	Recorder – Copy Paper	97079	\$	180.00	
Alternative Sanitation	Haul Waste	97080	\$	141.00	1, 2, 3
American Welding & Gas	Welding Supplies	97081	\$	696.51	2
AmericInn of Medora	Ambulance – Travel	97082	\$	219.60	
Ameripride Linen Service	Mat Rental	97083	\$	42.85	3
Andreas, George & Rose Marie	Rough Scoria	97084	\$	48.00	3
Billings County Auditor	2008 Tax Refund, etc.	97085	\$	70.61	
Billings County Rural Fire District	Taxes	97086	\$	1,987.64	
Billings County Pioneer	Publishing	97087	\$	554.45	1, 2, G
Billings County School District	Weed – Shop Rent	97088	\$	300.00	
Billings County School District	Taxes	97089	\$	42,764.90	
Billings County School District	Land Utilization Payment	97090	\$	465,000.00	
Billings County Sheriff	Training Expenses	97091	\$	85.49	

Beall Corporation	Parts & Supplies	97092	\$	26.18	3
Belfield Automotive Supply, Inc.	Parts & Supplies	97093	\$	1,325.58	1, 2, 3, W
Berger's Sanitation Service	Septic Service	97094	\$	280.00	1
Best Energy	Propane	97095	\$	5,557.10	1, 2, 3, G
Bismarck Tribune	Subscription	97096	\$	265.00	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	97097	\$	1,995.30	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	97098	\$	69.75	2
Boespflug Trailers & Feed	Generator Trailer	97099	\$	3,500.00	2
Butler Machinery Company, Inc.	Parts & Supplies	97100	\$	108.31	1, 2, 3
Carquest Auto Parts	Parts & Supplies	97101	\$	46.97	1, 3
Cash, Kathy	Election – Training	97102	\$	25.00	
Cass County Treasurer	Document Preservation Fund	97103	\$	245.00	
Comfort Inn – Bismarck	Tax Director & D.E.M. – Travel	97104	\$	118.00	
Copy X-Press	S.O. – Decals	97105	\$	70.00	
Creative Energy	Shop Supplies	97106	\$	122.71	2
D2, LLC	D.E.M. - Equipment	97107	\$	200.38	
Dakota Farm Equipment, Inc.	Parts & Repairs	97108	\$	534.73	3
Dakota Farm Equipment, Inc.	J.D. CX-15 Mower	97109	\$	10,500.00	1
Dakota Filter Supply	Parts & Supplies	97110	\$	280.60	1, 3
Dakota Jacks	Shop Tools	97111	\$	120.00	3
Dakota Sports	S.O. – Service Polaris	97112	\$	30.00	
Dakota Tool & Machine, Inc.	Parts & Repairs	97113	\$	319.00	3
Dakota Water Treatment	Water System	97114	\$	25.00	1
Dan's Interstate Conoco	S. O. – Gas	97115	\$	256.01	
Dash Medical Gloves	Ambulance – Supplies	97116	\$	54.90	
Dawson, Dan	Ambulance – Travel	97117	\$	70.00	
Dickinson, City of...	Waste Disposal	97118	\$	42.00	2
Dickinson Public Library	Library Service	97119	\$	2,666.36	
Electronic Communications	Radio Expense	97120	\$	355.00	1
Fastenal Company	Shop Supplies	97121	\$	32.08	3
Ferguson Enterprises, Inc.	Parts & Supplies	97122	\$	10.03	2
Fisher Industries, Inc.	Washed Sand	97123	\$	526.79	2, G
Fix It Shop	Shop Supplies	97124	\$	35.00	3
General Steel & Supply Co.	Generator Hook-Up	97125	\$	627.03	2
Golden Valley County	Social Service	97126	\$	6,149.16	
Hedahl's Parts Plus	Shop Supplies	97127	\$	44.04	1
Heiser Electric, Don	Electrical Service	97128	\$	967.22	3, G
Hlebechuk Construction, Inc.	Snow Removal	97129	\$	568.00	2
I Spy Tech	Sewer Service	97130	\$	426.95	2
Institute of Local Government	Recorder – Training Fees	97131	\$	210.00	
J P Steel & Supply, Inc.	Generator Hook-Up	97132	\$	92.96	2
Jurgens, Joan	Auditor – Travel Expense	97133	\$	312.90	
Kadrmass, Lee, & Jackson, Inc.	Engineering	97134	\$	26,149.30	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	97135	\$	65.00	
Kasian, Mike	Commissioner – Mileage	97136	\$	189.00	2
Kessel, Anita	Zoning Meeting – Mileage	97137	\$	75.00	
Kevin's Auto & Truck Repair	Parts & Repairs	97138	\$	126.23	3
King Speed Printing	Auditor – Envelopes	97139	\$	420.00	
Krebs Machine & Repair	Parts & Repairs	97140	\$	975.20	1, 2
LaDuke, Joe	Zoning Meeting – Mileage	97141	\$	35.00	
Leistritz, Larry	Land Use Plan – Grazing Impact	97142	\$	15,000.00	
Mid-American Research Chemical	Courthouse – Maintenance Supplies	97143	\$	497.49	
Matthew Bender & Company, Inc.	Court Rules Updates	97144	\$	97.46	
McJunkin Redman Corp.	Parts & Supplies	97145	\$	144.72	2
Medora, City of....	Taxes	97146	\$	5,524.96	
Menards	Courthouse – Maintenance Supplies	97147	\$	99.98	
Midstate Telephone Company	Courthouse – Telephone Service	97148	\$	965.38	
Midstate Communications	Supt. of Schools – Telephone	97149	\$	43.30	
Mobile Binders	Recorder – Recording Binders	97150	\$	815.59	
Morton County Auditor	Recorder – Thermal Labels	97151	\$	84.00	
Missouri Valley Petroleum, Inc.	Gas, Oil, Diesel, & Shop Supplies	97152	\$	24,184.72	2, 3, G
N.D. Association of Counties	Taxes	97153	\$	211.28	
N.D. County Treasurer's Association	Membership Dues	97154	\$	50.00	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	97155	\$	200.00	
N.D. Dept. of Transportation	Registration Fees	97156	\$	5.00	3
N.D. Envelope Company	Recorder – Envelopes	97157	\$	122.10	
N.D.P.E.R.S.	Health Insurance Premium	97158	\$	28,963.56	1, 2, 3, W, G
N.D. Recorders Association	Recorder – Convention Fees	97159	\$	100.00	
N.D. State Radio Communications	S.O. & 911 Services	97160	\$	1,418.40	
N.D. State Treasurer	Clerk of Court Fees	97161	\$	3,428.50	
Nelson International	2011 International Truck	97162	\$	101,539.55	2
Newby's Ace Hardware	Courthouse – Maintenance Supplies	97163	\$	316.00	
North Winds Lodge	Ambulance – Travel	97164	\$	102.00	
Northwest Tire, Inc.	Tires	97165	\$	1,440.07	3
O'Brien, Birdie & Mony Wolf	Risk Mgmt. – Safety Meeting	97166	\$	330.00	
O'Brien Welding	Parts & Repairs	97167	\$	545.81	2, 3
OK Tire Stores	Tires	97168	\$	237.98	3
Prairie Auto Parts, Inc.	Shop Supplies	97169	\$	136.73	1
Praxair	Shop Supplies	97170	\$	145.95	2
Probuild	Courthouse – Maintenance Supplies	97171	\$	51.47	
Professional Printing	S.O. – Complaint Forms	97172	\$	140.00	
Pump Systems, Inc.	Parts & Supplies	97173	\$	259.18	1, 3, W
Ramkota Hotel – Bismarck	Supt. of Schools – Travel	97174	\$	70.00	

RDO Equipment Company	Parts & Repairs	97175	\$	440.89	2
Redmond, Perry & Alicia	2010/11 Gravel Access Lease	97176	\$	1,500.00	1
Respond Systems	Courthouse – Maintenance Supplies	97177	\$	155.07	
Roosevelt-Custer Regional Council	Zoning – Updates	97178	\$	708.50	
Roughrider Speed Center, Inc.	S.O. – Equipment	97179	\$	409.99	
Rummel Auto Wrecking	Shop Supplies	97180	\$	237.00	1
Runnings Farm & Fleet, Inc.	Parts & Supplies	97181	\$	369.08	1, 2, W
Southwest Business Machines	Office Supplies	97182	\$	888.92	1, G
Schmidt Repair, Inc.	Parts & Supplies	97183	\$	786.35	2, 3
Schmidt Repair, Inc.	Used Generator	97184	\$	16,127.10	2
SimplexGrinnell	Courthouse – Security Maintenance	97185	\$	1,322.00	
Smart Computers & Consulting	Computer Equipment & Repairs	97186	\$	5,568.98	
Stein’s, Inc.	Courthouse – Maintenance Supplies	97187	\$	820.94	
Stopplesworth, Kenneth	Continental Tiller	97188	\$	1,900.00	2
Superior Lamp, Inc.	Lighting Supplies	97189	\$	434.29	2
Superpumper, Inc.	S. O. – Gas	97190	\$	68.00	
Southwest Grain	Shop Supplies	97191	\$	114.63	2
Southwestern District Health Unit	Taxes	97192	\$	277.30	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	97193	\$	5,400.00	
Southwest Water Authority	Taxes	97194	\$	218.50	
Southwest Water Authority	Water Usage	97195	\$	220.71	1, 2, 3
Tczap, John	Zoning Meeting – Mileage	97196	\$	35.00	
Team Laboratory Chemical Corp	Base One Totes	97197	\$	42,900.00	3
Temp Right Service, Inc.	Courthouse – Boiler Service	97198	\$	910.50	
Texas Refinery Corporation	Parts & Supplies	97199	\$	460.80	2
Thompson, Allan T.	Commissioner – Mileage	97200	\$	190.00	1
Tom’s Service Center	S. O. – Service	97201	\$	119.20	
Tractor & Equipment Company	Parts & Repairs	97202	\$	1,357.73	3
Theodore Roosevelt Medora Found.	SF-270 Reimbursement	97203	\$	18,071.48	
Verizon Wireless	Cellular Service	97204	\$	170.30	2, G
Wal-Mart	Courthouse – Maintenance Supplies	97205	\$	95.67	
Wanner Western Wear, Inc.	S.O. – Uniforms	97206	\$	29.99	
West Dakota Oil, Inc.	Parts & Supplies	97207	\$	35.63	1
Western Fire & Safety	Shop Supplies	97208	\$	163.08	2
Westlie Truck Center	Parts & Supplies	97209	\$	768.61	3
Alltel	Cellular Service	97263	\$	453.69	1, 3, G
American Family Life Assurance	Premium	97264	\$	722.53	
Billings County Auditor	Ambulance Budget Transfer	97265	\$	6,000.00	
Consolidated	Internet Service	97266	\$	240.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	97267	\$	89.25	
Discovery Benefits, Inc.	Premium	97268	\$	2,330.03	
Information Technology Dept.	S.O. – T-1 Line	97269	\$	437.80	
Job Service of North Dakota	Unemployment Taxes	97270	\$	1,592.17	1, 2, 3, W, G
Medora, City of...	Courthouse – Utilities	97271	\$	167.13	
N.D. Department of Transportation	License ABU Trailer	97272	\$	5.00	2
N.D.P.E.R.S.	Deferred Comp. Premium	97273	\$	4,274.00	
N.D.P.E.R.S	Retirement	97274	\$	11503.16	1, 2, 3, W, G
N.D. State Tax Commissioner	State Withholding Taxes	97275	\$	4,991.30	
N.D. Teachers Fund	Retirement	97276	\$	217.91	
Prudential	Deferred Comp. Premium	97277	\$	50.00	
Qwest	Telephone Service	97278	\$	307.37	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	97279	\$	53.40	1, 2, 3, G
Roughrider Electric Cooperative	Electricity	97280	\$	1749.00	1, 2, 3, G
Visa	Courthouse Supplies	97281	\$	1,461.16	

Payroll in the following amounts were approved for March: General Fund \$63,037.63; Road and Bridge Fund \$60,202.95; Weed Fund \$3,603.60

With there being no further business, Kasian moved to adjourn the meeting 2:40 P.M. Thompson seconded.

James Arthaud, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer